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**From:** Hurlid, Kathy [Hurlid.Kathy@epa.gov]  
**Sent:** 2/19/2020 5:05:51 PM  
**To:** McDavit, Michael W. [Mcdavit.Michael@epa.gov]; Kelly, Stephanie [kelly.stephanie@epa.gov]  
**CC:** Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]; Frazer, Brian [Frazer.Brian@epa.gov]; Goodin, John [Goodin.John@epa.gov]; Santell, Stephanie [Santell.Stephanie@epa.gov]; Shimkin, Martha [Shimkin.Martha@epa.gov]  
**Subject:** FYI - FL's proposed rules out for public comment.

FL's notices of proposed rule were published today. The information is below. R4 is leading EPA review and has a desk statement that I will get and send up through Antonio.

Email from FL states:

The Department has published Notices of Proposed Rule for the State 404 Program. This rule is just one step in the process for the State to assume authority to administer the dredge and fill permitting program under Section 404 of the Clean Water Act. Rulemaking will not give the Department authority to administer the 404 program. The rules will be submitted as part of the assumption application package to the Environmental Protection Agency (EPA) once finalized.

This rulemaking includes the addition of minor changes in the state's Environmental Resource Permitting (ERP) rule, Chapter 62-330, F.A.C., to provide for consistency between programs, and the creation of a new rule, Chapter 62-331, F.A.C. to implement the State 404 Program and to include federal regulations that are not currently covered under the ERP program. These rules will become effective some time after approval of the assumption application package by EPA.

The Notices can be viewed via the following:

- [62-330 Notice](#)
- [62-331 Notice](#)

The draft forms and handbooks can be viewed on the [Division of Water Resource Management's rule development website](#).

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**From:** Hurlid, Kathy  
**Sent:** Wednesday, February 19, 2020 9:05 AM  
**To:** McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Christensen, Damaris <Christensen.Damaris@epa.gov>; Dils, Rebecca <Dils.Rebecca@epa.gov>; Downing, Donna <Downing.Donna@epa.gov>; Harrington, Rachel <harrington.rachel@epa.gov>; Kasperek, Lauren <kasperek.lauren@epa.gov>; Kelly, Stephanie <kelly.stephanie@epa.gov>; Kelso, Julia <kelso.julia@epa.gov>; Kutschenreuter, Kathleen <Kutschenreuter.Kathleen@epa.gov>; Kwok, Rose <Kwok.Rose@epa.gov>; Maschal, Emma <maschal.emma@epa.gov>; Price, Myra <Price.Myra@epa.gov>; Seiler, Serena <Seiler.Serena@epa.gov>; Warren, Nicholas <Warren.Nicholas@usepa.onmicrosoft.com>; Wesson, Dolores <Wesson.Dolores@epa.gov>  
**Cc:** Thomas McGill (Mcgill.Thomas@epa.gov) <Mcgill.Thomas@epa.gov>  
**Subject:** RE: Call for Highlights, Shout Outs, and Administrator's Report Items

For the administrator's report

**Florida assumption of CWA section 404:** This week, on Wednesday 2/19/20, Florida's Department of Environmental Protection will publish for public comment draft regulations to administer an assumed CWA section 404 program. There will be a 21-day comment period. EPA will review the proposal for consistency with the CWA and provide comments to Florida as part of our efforts to facilitate their assumption of the program. Region 4 has developed a desk statement regarding Florida's effort.

